

APPROVED – AUGUST 12, 2004
ENVIRONMENTAL IMPROVEMENT BOARD
MINUTES OF THE JULY 6, 2004 MEETING

The New Mexico Environmental Improvement Board (EIB) Meeting was held on July 6, 2004, at the New Mexico State Capitol in Santa Fe, New Mexico.

Item #1: Roll Call

Members Present: Ms. Gay Dillingham, Chair
Mr. Gregory Green, Secretary
Ms. Gwen Wardwell, Member
Mr. Harold Tso, Member
Ms. Dolores Herrera, Member

Members Absent: Mr. Clifford Stroud, Vice Chair
Mr. Ken Marsh, Member

Others Present: Geraldine Madrid-Chavez Mary Smith, AGO
Lany Weaver, NMED Heather Lancour, NMED
Randi McGinn

Item #2: Approval of Agenda

The following change was made:

- Remove item #7 – Hearing has not been completed.

ACTION: Mr. Green made a motion to approve the agenda as amended. Ms. Wardwell seconded. Motion carried unanimously.

Item #3: Public Comment Period

None at this time.

Item #4: Petition for Public Hearing on Proposed Revisions to 20.2.73 NMAC – Notice of Intent and Emission Inventory. (EIB 04-05)

Ms. Lany Weaver requested the Board hold a Public Hearing on Proposed Revisions to 20.2.73 NMAC – Notice of Intent and Emission Inventory in Las Cruces, New Mexico on October 5, 2004.

ACTION: Ms. Herrera made a motion to set a hearing for EIB 04-05 on October 5, 2004 in Las Cruces, New Mexico. Ms. Wardwell seconded. Motion carried unanimously. Ms. Wardwell will sit as Hearing Officer.

Item #5: Petition for Public Hearing to Consider Proposed Amendments to the Convenience Store Rule in Title 11, Chapter 5, Part 6 of the New Mexico Administrative Code. (EIB 03-12)

Ms. Leslie Barnhart, Assistant General Counsel for NMED, requested a public hearing be set to consider proposed amendments to the Convenience Store rule in Title 11, Chapter 5, Part 6 of the New Mexico Administrative Code.

Ms. Randi McGinn, Counsel for Consumers, requested notice of all public meetings in regards to the Convenience Store Rules.

Ms. Herrera stated she appreciates the discussion in regards to the stay and agenda issue but requests we get back to the agenda.

ACTION: Ms. Wardwell made a motion to set a hearing for Proposed Amendments to the Convenience Store Rule in Title 11, Chapter 5, Part 6 of NMAC (EIB 03-12) for September 7 & 8, 2004. Mr. Green seconded. Motion carried unanimously. Mr. Tso will sit as Hearing Officer.

Item #6: “Discussion regarding process to amend EIB’s Rulemaking Procedures (Title 20, Chapter 1, Part 1 NMAC) and Adjudicatory Procedures (Title 20, Chapter 1, Part 2 NMAC), and to adopt general rules governing the EIB. Possible action to appoint committee to draft proposed rules amendments.”

After discussion of the process to amend EIB’s Rulemaking and Adjudicatory Procedures the following action was taken by the Board:

ACTION: Ms. Wardwell made a motion to appoint Mr. Stroud, Mr. Green, Ms. Smith, Ms. Herrera and a member for NMED Office of General Counsel to a draft proposed rules amendments committee. Mr. Tso seconded. Motion carried unanimously.

Item #8: Other Business

Mr. Tso expressed some interest in attending the Environmental Justice Meetings.

Item #9: Next Meeting

The next meeting of the Environment Improvement Board is scheduled for August 12 & 13, 2004 in Santa Fe, New Mexico.

Item #10: Adjourn

ACTION: Ms. Wardwell made a motion to adjourn. Ms Herrera seconded. Motion carried unanimously.